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W.P(C)No. 13029 OF 1985

ITEM No.301 + 302

Court No. 1

SECTION PIL

A/N MATTER

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition (Civil) No.13029/1985

M.C.MEHTA

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

(MATTER REGARDING COMPULSORY SWITCH OVER OF ALL TWO WHEELERS, THREE WHEELERS AND MOTOR VEHICLES OF L.P.G./C.N.G. IN CITIES OTHER THAN DELHI WHICH ARE EQUALLY OR MORE POLLUTEED)

WITH

DIRECTIONS WITH REGARD TO THE REPORT REGARDING PRICING OF CNG BY THE IGL SUBMITTED BY THE BHURE LAL COMMITTEE,

I.A.NO.179 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for directions)

I.A.NO.181 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for impleadment and direction on behalf of Indian Foundation and Transport Research and Training)

I.A.NO.182 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for impleadment on behalf of State of Haryana)

I.A.NO.183 IN IA 151 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for and direction on behalf of State of Haryana)

I.A.NO.184 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for impleadment/directions on behalf of Delhi Inter-State Truck Operators Association)

I.A.NO.192 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for directions on behalf of CNG Bus Operators Association)

I.A.NOs.194-195 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for direction and impleadment and further directions on behalf of Ishwar Nagar (East) Resi. Association)

I.A.NO.207 IN IA 194 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for direction)

I.A.NO.202 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for directions on behalf of Sukh Nandan Sharma)  
( Letter dated 10.09.2002 and 08.10.2002 filed by Mr.N.K. Aggarwal, Advocate on behalf of Sh .Ishwar Dutt with Office Report)  
in WP (c) 13029/1985 MC MEHTA VS. UOI & ORS.

I.A.NO.203 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for directions on behalf of Transport Department Govt. of NCT of Delhi)

I.A.NOs.210-211 IN IA 151 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
( for directions and impleadment on behalf of Mr.Ran Singh)

I.A.NO.212 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for directions on behalf of Delhi Police)

I.A.NO.216 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for direction regarding to provide accommodation to Mr.Bhure Lal,Chairman filed by A.C.)

I.A.NO.217 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for impleadment and directions on behalf of Malawa Ram Market Association)

I.A.NOs.218-219 IN IA 199 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for restoration and c/delay on behalf of All India Transport Welfare Association)

I.A.NO.220-221 IN IA 185 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for restoration and c/delay on behalf of All India Motor Congress)

I.A.NO.222 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for directions on behalf of Ministry of Environment & Forest regarding acceptance of resignation of Dr.Bhure Lal, Chairman, E.P.A. and letter dated 24.01.2003 of Dr.Bhure Lal, Chairman, E.P.A.)

I.A.NO.223 IN WP (C) 13029/1985 MC MEHTA VS. UOI & ORS.  
IN RE: PHOTOGRAPHS FILED IN COURT BY LD. AMICUS CURIAE

W.P.(C) 939/1996 IN RE: DELHI TRANSPORT DEPARTMENT

SLP (C) NO.13208/1998 UOI & ORS. VS. A.I.FED.OF MOTOR V.D.T.E.OFF.ASSOCN. & ORS.  
( with appln. for c/delay in filing SLP and vacation of the Order)

SLP (c) ..../2000 GOVT. OF N.C.T. OF DELHI VS. M/S.MAHUA ROY CHOWDHARY & ORS.  
(with appln. for c/delay in filing SLP)  
CC 6990-6991

W.P.(C) 543/2003 ALL INDIA FORUM FOR NATIONAL REGN. & ANR. VS.  
UNION OF INDIA & ORS.  
( with appln. for exemption from O.T.)

WITH I.A. 188-189 in WP(c) 13029/1985 MC MEHTA VS. UOI & ORS.  
(for impleadment/direction on behalf of of Delhi Traffic Police)

Date : 23/01/2004 These Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE Y.K. SABHARWAL  
HON'BLE MR. JUSTICE ARIJIT PASAYAT

For Petitioner (s)

Petitioner-In-Person (N/P)

for the Applicant:

Mr.Harish N.Salve.Sr.Adv.(A.C.)  
Mr.Uday Umesh Lalit,Adv. (A.C.)

in IA 181 & 217Mrs.Rani Chhabra,Adv.

In IA 182 &  
183 Mr.J.P. Dhanda,Adv.

IA 184Mr.J.S. Chadha,Adv.  
Applicant in person

in IA 192 Mr.C.S. Ashri,Adv.

Mrs.Rachna Gupta,Adv.

In IA 194-195  
& 207Mrs. Kirti Mishra,Adv.

IA 202

Mr. Shibashish Misra, Adv.

IA 203, IA 188-189 Mr. SWA Qadri, Adv., Mr. D.S. Mahra, Adv.  
SLP ..CC 6990-91/00  
IA 210-211 Mr. M.S. Dahiya, Adv.

in IA 217 Mrs. Rani Chhabra, Adv.

In IA 218-219, 220-221 Mr. Abhijit Sen Gupta, Adv.

In WP (c) 939/96 Mr. Ranjit Kumar, Sr. Adv. (A.C.) N/P.

in SLP 13208/98 Mr. Arvind Kumar Sharma, Adv.

in WP (c) 543/2003 Mr. Sibbo Sankar Mishra, Adv.,  
Mr. Neeraj, Mr. Partap Sahani, Adv.

For Respondent (s)

Mr. Mukul Rohtagi, ASG  
Mr. ADN Rao, Mr. CV Subba Rao,  
Mr. BV Balram Das, Adv.

Mukul Rohtagi, ASG  
Mr. Ajay Sharma, Mr. P. Parmeswaran, Adv.

Mr. Mukul Rohtagi, ASG  
Mr. SWA Qadri, Adv.  
Mr. DS Mahra, Mrs. Anil Katiyar, Adv.

Mr. T.R. Andhyarujina, Sr. Adv.,  
Mr. Sanjay Kapur, Smt. Shubhra Kapur,  
Mr. Rajiv Kapur, Mr. Sanjeev Kumar, Adv.

Mr. Sudhir Chandra, Sr. Adv.,  
Mr. Parijat Sinha, Mr. Snehasish Mukherjee,  
Mr. S.C. Ghosh, Adv.

Mr. Vijay Panjwani, Adv.

Mr. Aditya Chaudhary, Adv. for  
Ms. Kavita Wadia, Adv.

Mr. Kamalendra Mishra, Adv.,  
Mr. Tripurari Rai, Adv.

Mr. Tara Chandra Sharma, Adv.,  
Ms. Neelam Sharma, Adv.

Mr. KH. Nobin Singh, Adv.,  
Mr. M. Gireesh Kumar, Adv.

Mr. Subramonium Prasad, Adv.,  
Mr. R. Ayyum Perumal, Mr. Abhay Kumar,  
Mr. Gopala Krishnan. R, Mr. Ragavendre, Adv.

Mr. Sakesh Kumar, Adv.,  
Mr. Satish K. Aghnihotri, Adv.

Mr. Percy Ghandy, Adv.,  
Ms. Nandini Gore, Ms. Manik Kaanjawala, Adv.

Mr. H.K. Puri, Adv.,  
Mr. Ujjwal Banerjee, Mr. S.K. Puri,  
Mr. Shiv Gupta, Adv.

Mr. Pramod Dayal, Adv.,  
Mr. Mukesh Verma, Adv.

Mr.V.G. Pragasam,Adv.

Ms.Sumita Hazarika,Adv.,

Mr.U. Hazarika,Adv.

Ms.Hemantika Wahi,Adv.,

Ms.Aruna Gupta,Adv.

Ms.A.Subhashini,Adv.

Mr.Sanjiv Sen,Adv.,

Mr.Rajan Narain,Adv.

Mr.Sanjay Sarin,Adv.,

Mr.Ashok Mathur,Adv.

Ms.Sheil Sethi,Adv.

Mr.Shri Narain,Adv.,

Mr.Sandeep Narain,Ms.Anjali Jha,S.Narain,Adv.

Ms.Indira Sawhney,Adv.

Mr.V.B. Saharya,Adv.for

M/s.Saharya & co.

Mr.Hardeep Singh Anand,Adv.

Mr.Sushil Kumar Jain,

Ms.Binu Tamta,Adv.

Mr.Praveen Swarup,Adv.

Ms.Meenakshi Arora,Adv.

Mr.Prashant Bhushan,Adv.

Mr.T.V. Ratnam,Adv.

Mr.G.K. Bansal,Adv.

Mr.Anis Ahmed Khan,Adv.

Mr.L.K. Pandey,Adv.

Mr.Aruneshwar Gupta,Adv.

Mr.K.K. Rai,Adv.

Mr.B.B. Singh,Adv.

Mr.G. Prakash,Adv.

Mr.Deepak M Nagolkar,Adv.

Mr.Sanjay R. Hegde,Adv.

Mr.S.B. Upadhyay,Adv.

Mr.S.R. Setia,Adv.

Mr.Sanjay Parikh,Adv.

Mr.Arvind Kumar Sharma,Adv.

Mr.V.B. Joshi,Adv.

UPON hearing counsel the Court made the following  
O R D E R

I.A.No.222. Put up this matter on 30.1.2004. In the meantime, learned counsel shall obtain necessary instructions.

I.As..... I.As. tendered in Court by the learned amicus curiae are taken on Board. Issue notice to the State of Haryana, Union of India and National Capital Territory of Delhi returnable within three weeks. Mr.Aditya Chaudhary, learned counsel accepts notice for the State of Haryana on behalf of the Advocate on Record for the State. Mr.A.D.N. Rao, the learned counsel accepts notice on behalf of Union of India. Mr.SWA Qadri the learned counsel accepts notice on behalf of the NCT of Delhi. Notice shall indicate that it would be open to the party to file any response to the reports submitted by the EPCA. Learned counsel for the respondents pray for and are granted four weeks time for filing their response.  
List after four weeks.

I.A.No.223 Issue notice to Indian Oil Corporation, Bharat Petroleum Corporation, Indo Burma Petroleum (IBP), State of Haryana, State of U.P. and Union of India. Mr.H.K. Puri, learned counsel accepts notice on behalf of M/s.Indian Oil Corporation and Indo Burma Petroleum (IBP). Mr.Parijat Sinha, learned counsel accepts notice on behalf of M/s.Bharat Petroleum Corporation. Mr.Aditya Chaudhary, the learned counsel accepts notice for the State of Haryana on behalf of the Advocate on Record for the State. Mr.Kamlendra Mishra, the learned counsel accepts notice on behalf of State of U.P. Mr.ADN Rao, the learned counsel accepts notice on behalf of the Union of India. The learned counsel pray for and are granted four weeks time for filing their response.  
List after four weeks.

Remaining matters on Board be listed after four weeks.

(Vijay Kumar Sharma) (Janki Bhatia)  
AR cum PS to Hon.Judge Court Master